

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 01 1995

Returned to applicant for correction JUN 27 1995

Corrected application filed _____ Map filed JUL 11 1995 Prop. POU under
55996 sheet 2

The applicant Dennis C. and Carol M. Whitaker

2600 Cushman Road

of Fallon

Street and No. or P.O. Box No.

City or Town

Nevada, 89406-9115

State and Zip Code No.

hereby make application for permission to change the

Place of use of a portion and the manner of use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Truckee Carson Irrigation District Serial No. 307

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3;

identify right in Decree.

United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both

in the Federal District Court of Nevada.

1. The source of water is Truckee and Carson rivers
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 294.81 acre-feet (98.60 acres x 2.99 acre-feet per acre)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Maintenance of Wetlands for Recreation and Wildlife/Storage
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point Lahontan Dam being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section
Describe as being within a 40-acre subdivision of public survey and by course and
33, T19N R26E, M.D.B.&M.
distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within No change
If point of diversion is not changed, do not answer.
7. Proposed place of use 5,427 acres - plus or minus - within Sections 10, 11, 12, 13, 14, 15,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
16, 20, 21, 22, 23, 24, 27, 28, 29, 32, 33, 34, T17N, R29E, M.D.B.&M. See Sheet 2 of 2
Permit No. 55996, which map is incorporated by reference.
8. Existing place of use 27.86 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 9.51 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 32.30 acres
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 1.59 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T18N, R29E, and 24.60
manner of use of irrigation permit, describe acreage to be removed from irrigation.
acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 2.74 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, T18N R29E, M.D.B.&M.
9. Use will be from as decreed to _____ of each year.
Month and Day Month and Day
10. Use was permitted from as decreed to _____ of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) No new diversion or storage works on the
State manner in which water is to be diverted, i.e. diversion structure,
Truckee River and the Carson River will be constructed.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works N/A
13. Estimated time required to construct works N/A

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

~~Applicant expressly reserves the right to transfer in a later proceeding:~~
~~1) 51 acre-feet for each of the 98.60 acres from which 2.99 acre-feet per~~
~~acre is to be transferred by this application, and 2) 3.5 acre-feet for~~
~~each of the 1.40 water-righted acres remaining at existing place of use.~~

By s/Robert Wigington
Robert Wigington, Applicants' Agent
2060 Broadway, Suite 230
Boulder, Colorado 80302
Compared jk/gkl cl/bk
Protested _____

APPROVAL _____ OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place and manner of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.
This permit is expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same as if the water right were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).
This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.
The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 294.81 acre-feet ~~xxxxxxx~~ as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before November 20, 1996
Proof of completion of work shall be filed before December 20, 1996
Application of water to beneficial use shall be made on or before November 20, 1999
Proof of the application of water to beneficial use shall be filed on or before December 20, 1999
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUL 03 1996
Proof of beneficial use filed _____
Cultural map filed _____
Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 20th day of November,
A.D. 19 95
[Signature]
State Engineer